



Administrative Policies and Procedures: 13.27

Subject:	Predisposition Investigations and Reports
Authority:	TCA 37-1-128, 37-1-129, 37-1-137, 37-5-105, 37-5-106
Standards:	DCS Practice Standards: 9-201; 9-202; 9-203, Rules of Juvenile Procedure #33
Application:	To All Department of Children's Services Family Service Workers assigned Delinquent Youth who are on Probation or Aftercare

Policy Statement:

Upon request of the Court, DCS shall provide a thorough predisposition investigation report for the purpose of assisting Courts in making informed dispositions regarding delinquent youth.

Purpose:

To ensure that appropriate information is gathered to complete a predisposition report to assist the Courts in making informed decisions and to divert appropriate youth from state custody

Procedures:

A. Predisposition investigations and reports	<ol style="list-style-type: none">1. All predisposition investigation reports shall be conducted and written in accordance with procedures and minimum standards in the current <i>Predisposition Report Manual</i>.2. Predisposition investigations shall not be initiated until a youth has been adjudicated delinquent, unless the youth, with written parental consent and/or advice of legal counsel, has consented to allow the investigation to proceed before adjudication.3. Information obtained during a predisposition investigation must not be submitted to the court prior to adjudication.4. All pertinent information gathered during a predisposition investigation shall be made available to the court in order to assist in determining the need for special conditions.5. Predisposition reports shall be presented to the requesting court no later than the day before the scheduled dispositional hearing with copies to the defense attorney and the District Attorney as outlined in <i>Section C</i>.6. Whenever a predisposition report is requested and the subject of the investigation does not live in the county of jurisdiction, a cooperative effort between Family Service Workers (FSW) shall be initiated to complete the predisposition investigation and report.
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	<ol style="list-style-type: none">7. The FSW working the county of jurisdiction shall provide information regarding the nature and circumstances of the youth's offense(s) and the court's adjudication. The FSW working in the juvenile's county of residence shall provide other information as required in the predisposition report manual.8. If a checklist or questionnaire is used, the FSW will review the form with the family and ask any necessary subsequent questions.9. The predisposition report will be entered into TN Kids.
B. Use of volunteers, student interns and clerical staff in preparing reports and gathering information	<ol style="list-style-type: none">1. Volunteers, including student interns, may perform all tasks relating predisposition investigations after being trained and certified. Volunteers may conduct record(s) checks, verify educational status, verify employment, interview youth and parents, make home visits and necessary collateral visits.2. Certified volunteers may provide input regarding recommendations for dispositional alternatives, but in all cases final recommendations will be the responsibility of the supervising FSW.3. Clerical staff may be allowed to perform tasks that relate to the verification of arrest records, court appearances and convictions.
C. Confidentiality of information	Confidentiality of information shall be in accordance with DCS policies <u>9.4, Confidential Child-Specific Records Information</u> . Predisposition reports shall be provided to a youth's legal counsel and the prosecuting attorney.
D. Responsibilities of supervisory personnel	<ol style="list-style-type: none">1. Supervisory personnel in each DCS region shall review each predisposition report to ensure compliance with manual standards.2. Approval of each predisposition report shall be documented by the supervisor's signature on the report.
E. Annual review of predisposition report manual	The Juvenile Justice Executive Director for Administration and Compliance or designee shall annually review the predisposition report manual and update it as needed.

Forms:	<u>CS-0153, Predisposition Investigation</u>
Collateral documents:	<u>Predisposition Report Manual</u>